

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

**MARISA STREIT,**

**Plaintiff,**

**v.**

**STEVEN HALVERSON,**

**Defendant.**

**Case No.: 2:17-cv-4225-WJE**

**ORDER**

Pending before the Court are Plaintiff Marisa Streit's Omnibus Motions in Limine. (Doc. 60). Defendant Steven Halverson has responded. (Doc. 69). For the reasons that follow, Plaintiff's omnibus motions in limine will be granted as follows:

1. **Comments Implying This Lawsuit is Frivolous**

Plaintiff's motion is unopposed and shall be granted.

2. **Comments Relating to Fee Agreements, Expenses and Employment of Plaintiff's Attorneys**

Plaintiff's motion is unopposed and shall be granted.

3. **Comments that Defendant is "Innocent Until Proven Guilty"**

Plaintiff's motion is unopposed and shall be granted.

4. **Comments that Plaintiff Alone Bears the Burden of Proof**

Plaintiff's motion is granted. The Court will preclude Defendant from commenting that Plaintiff has the sole burden of proof for the entire case. Defendant has certain burdens in this case such as the burden to prove his affirmative defenses. The Court will allow Defendant to state that Plaintiff bears the burden of proving the claim alleged in her petition which is consistent with Missouri Approved Instruction ("MAI") 3.01.

5. **Comments as to the Tax Consequences of Plaintiff's Recovery**

Plaintiff's motion is unopposed and shall be granted.

6. **Comments as to the Consequences to Defendant of an Award to Plaintiff**

Plaintiff's motion is unopposed and shall be granted.

7. **Comments as to Collateral Source Payments**

Plaintiff's motion is granted. Pursuant to an agreement between the parties, Plaintiff will not seek recovery of past medical expenses as damages. Therefore, the mention of collateral sources of payment for Plaintiff's past medical expenses is irrelevant and will be barred. To the extent that Plaintiff claims lost benefits as damages, the Court will permit testimony and other evidence regarding the value of Plaintiff's fringe benefits she allegedly lost as a result of the accident.

8. **Comments Regarding Settlement Offers or Demands**

Plaintiff's motion is unopposed and shall be granted.

9. **Comments Referencing Motions in Limine in the Jury's Presence**

Plaintiff's motion is unopposed and shall be granted.

**Conclusion**

IT IS THEREFORE ORDERED that Plaintiff Marisa Streit's Omnibus Motions in Limine (Doc. 60) are GRANTED as set forth herein.

Dated this 7th day of January, 2019, at Jefferson City, Missouri.

*Willie J. Epps, Jr.*

Willie J. Epps, Jr.  
United States Magistrate Judge